

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KITRICH A. POWELL,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 2:06-cv-01264-KJD-DJA

ORDER

In this capital habeas corpus action, there is a pending, fully briefed motion to dismiss (ECF No. 235), and the parties are in the process of briefing a related motion for leave to conduct discovery (ECF No. 248) and motion for evidentiary hearing (ECF No. 247). In the meantime, on April 4, 2024, the petitioner, Kitrich A. Powell, represented by appointed counsel, filed a motion for stay and abeyance (ECF No. 269), requesting that this case be stayed so that he may present in state court his claims of actual innocence. Respondents' response to that motion was due on April 18, 2024. *See* LR 7-2(b).

On April 18, 2024, Respondents filed a motion for extension of time (ECF No. 270), requesting a 15-day extension of time, to May 3, 2024, to respond to Powell's motion for stay and abeyance. This would be the first extension of that deadline. Respondents' counsel states that the extension of time is necessary because of their obligations in other cases and time away from work. Respondents' counsel represents that Powell does not oppose the motion for extension of time. The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

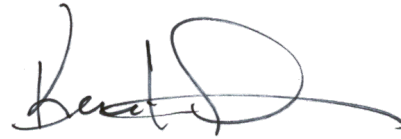
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1 **IT IS THEREFORE ORDERED** that Respondents' Motion for Enlargement of Time
2 (ECF No. 270) is **GRANTED**. Respondents will have until and including **May 3, 2024**, to file a
3 response to Petitioner's Motion for Stay and Abeyance.

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5 DATED THIS 22nd day of April 2024.

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8 KENT J. DAWSON
9 UNITED STATES DISTRICT JUDGE
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